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June 29, 2017

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: *Ex parte* presentation in GN Docket No. 16-142**

Dear Ms. Dortch:

On June 27, 2017, Anne Schelle, Managing Director of Pearl TV, Dennis Wallace, Partner and Technical Consultant at Meintel, Sgrignoli & Wallace, and the undersigned met with Michelle Carey, Nancy Murphy, Martha Heller, Steven Broeckaert, Brendan Murray, Evan Baranoff, Kathy Berthot, Kim Matthews, and Evan Morris of the Media Bureau, Susan Aaron of the Office of General Counsel, and Paul Murray, Matthew Hussey, Martin Doczkat, Barbara Pavon, and Mark Colombo of the Office of Engineering & Technology to discuss the Commission's Notice of Proposed Rulemaking ("NPRM") regarding the voluntary transition to ATSC 3.0, also referred to as Next Generation TV. Pearl TV is a partnership of eight of the largest broadcast companies in America, and is dedicated to enhancing the future of television broadcasting. We are excited about the significant benefits Next Generation TV will enable broadcasters to provide to viewers.

The parties discussed several issues raised by the Commission's NPRM and by the voluntary transition generally. First, we discussed whether the Commission should require broadcasters opting to transmit an ATSC 3.0 stream to limit that stream to the content simultaneously airing on their ATSC 1.0 stream. To do so would be a mistake. One of the benefits of ATSC 3.0 is its ability to provide hyper-localized programming. Broadcasters should not be constrained from targeting specific regions in their coverage area with specific news, weather, or other programming simply because the current digital standard cannot provide this service. Additionally, broadcasters will be managing the transition to ATSC 3.0 without additional spectrum, and therefore will be co-broadcasting their ATSC 3.0 and ATSC 1.0 signals on the same 6 MHz channel they currently may only use to broadcast one stream. Flexibility in how broadcasters utilize this capacity will go a long way to aiding the process of bringing ATSC 3.0 to consumers. Finally, allowing broadcasters this flexibility will not harm viewers. The viewer is the deciding factor in each programming decision a broadcaster makes, because if a broadcaster does not give viewers what they want, the broadcaster is the one who loses. Since broadcasters have every incentive to satisfy their consumers, providing broadcasters with flexibility on what is aired in the Next Gen signal will allow the inherent capabilities of ATSC 3.0 to be displayed, while not disadvantaging viewers still using ATSC 1.0-compatible devices.

Second, the parties discussed what specific ATSC standard the Commission should incorporate by reference into its final rule. Pearl supports the Commission's initial proposal to only incorporate A/321—the "bootstrap" layer of the 3.0 standard. The new standard was designed to be flexible and to adjust to changing technology. By only incorporating A/321, the Commission will ensure that ATSC can develop different features and capabilities for Next Generation TV depending on how the standard is received and develops. This ongoing flexibility is a virtue of the standard and should be maintained. The arguments made by the few parties who support incorporating A/322 are not persuasive, in particular because some parties may stand to benefit from their intellectual property interests in A/322. Finally, there is a risk that if the Commission incorporates A/322, low-end manufacturers, motivated by avoiding IP expenses, will simply bypass A/321 and only build their devices to the specifications of A/322. As technology evolves and improves, these devices would be left orphaned without the core A/321 capability to be updated to more advanced standards.

Third, we discussed the important role that use of a vacant channel could play in hastening the transition in a number of markets. We recognized that the Commission would have to address LPTV and translator issues in that context but we stressed that the temporary use of the vacant channel could assist the transition especially in smaller markets with fewer stations.

Finally, we discussed the timing of the transition, and the planning Pearl has already performed regarding how stations in a DMA could begin transitioning to ATSC 3.0 while continuing to serve their consumers with ATSC 1.0 for many years to come. We are eager to provide the Commission with further information to assist the transition.

Next Generation TV promises significant benefits for consumers, and, as the comments filed in response to the Commission's NPRM show, enjoys virtually universal support from the relevant industries. We urge the Commission to move forward with a final rule as soon as possible so that broadcasters can begin bringing these benefits to the American public.

Respectfully submitted,

/s/  
Gerard J. Waldron  
*Counsel to Pearl TV*

cc: Michelle Carey  
Nancy Murphy  
Martha Heller  
Steven Broecker  
Brendan Murray  
Evan Baranoff

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Kathy Berthot  
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